

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

NICHOLAS KYLE SCHERER,

Plaintiff,

v.

Case No. 18-CV-1973

JANE DOE,

Defendant.

ORDER

On February 19, 2020, U.S. District Judge William Griesbach screened plaintiff Nicholas Kyle Scherer's complaint and allowed him to proceed on a claim against Jane Doe nurse based on his allegations that she provided objectively unreasonable medical care to him while he was pretrial detainee at the Kenosha County Jail. Because Scherer did not know the name of the nurse, Judge Griesbach named Kenosha County Sheriff David Beth as a defendant for the limited purpose of helping Scherer learn the nurse's name. Judge Griesbach informed Scherer that he must use discovery to learn the nurse's name. He also warned Scherer that, if he did not identify the name of Jane Doe nurse within sixty days of Sheriff Beth's attorney appearing in the case, the court would dismiss his case based on his failure to diligently pursue it.

Sheriff Beth's attorney (Amy J. Doyle) filed a notice of appearance on April 13, 2020. According to the certificate of service she filed along with the notice, she served


her appearance on Scherer by mailing the notice to him at the address he provided to the court. Pursuant to Judge Griesbach's order, Scherer had until June 12, 2020, to inform the court of Jane Doe nurse's name. Scherer failed to do so, and he also failed to inform the court of any reason why he was unable to do so.

Because Scherer is representing himself, the court will give him a final opportunity to either identify Jane Doe nurse or explain why he is unable to do so. If the court does not hear from Scherer by the below deadline, the court will assume he no longer wants to pursue this case and will dismiss the case without prejudice. *See* Civil L. R. 41(c).

IT IS THEREFORE ORDERED that Scherer identify the name of Jane Doe nurse by **July 2, 2020**. If he does not or does not explain to the court why he is unable to do so, the court will dismiss his case based on his failure to diligently pursue it.

Dated in Milwaukee, Wisconsin, this 15th day of June, 2020.

BY THE COURT:


WILLIAM E. DUFFIN
U.S. Magistrate Judge